

# WILLKIE FARR & GALLAGHER LLP

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September 30, 2022

## VIA ECF

The Honorable Brian M. Cogan  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: United States v. Rashid Sultan Rashid Al Malik Alshahhi, et al., 1:21-cr-371 (BMC) (S-1)

Dear Judge Cogan:

We write on behalf of Mr. Barrack and Mr. Grimes to request that Your Honor provide the following limiting instruction upon the admission of Government Exhibits 510-A and 510-B, which we expect will be offered by the Government today or on Monday, October 3rd. The Court's September 27, 2022 Order (Dkt. 270) indicated that the Court would consider such a limiting instruction, if sought by Defendants. We propose:

You are about to hear testimony concerning certain communications between Rashid Al Malik and an individual named Daniel Rivetti. Mr. Barrack and Mr. Grimes were not a party to these communications. I instruct you that these communications may only be considered as evidence of Mr. Al Malik's state of mind. You may not consider these communications for any other purpose. Specifically, I instruct you that you may not consider these communications in determining whether Mr. Barrack or Mr. Grimes knew about Mr. Al Malik's alleged activities or his registration status, or whether either Defendant agreed to operate subject to direction or control of a foreign government.

Sincerely,

WILLKIE FARR & GALLAGHER LLP

/s/ Michael S. Schachter  
Michael S. Schachter  
Randall W. Jackson  
Steven J. Ballew

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